

came under heavy enemy ground fire. The pilot tried to lift off, but the damaged aircraft struck a tree line and exploded.

The remains of the four U.S. soldiers on board were not recovered at that time, and a year later, SGT Jacobsen was declared killed in action.

In 1994, recovery efforts were renewed when a joint U.S.-Socialist Republic of Vietnam team surveyed the crash site. Unfortunately, excavation of the site in 1995 did not uncover remains of the U.S. soldiers aboard the helicopter. However, in 2006, two re-burial sites associated with the incident were excavated, leading to the recovery of SGT Jacobsen's remains.

SGT Jacobsen was posthumously awarded the Purple Heart, commemorating his courage and extraordinary sacrifice in service to our country.

He will be buried on October 4 in Ferndale, CA. The Army offered SGT Jacobsen full burial honors in Arlington National Cemetery, but his family chose his final resting place close to home. Nothing can fully account for the loss suffered by SGT Jacobsen's family, and all those who loved him. But I hope this finally brings a sense of closure and peace.

As we remember SGT Jacobsen and honor his service to the United States we are also reminded of the nearly 1,800 service members who remain unaccounted for from the Vietnam war.

Men and women like Timothy J. Jacobsen from towns and cities across California, and across America, went off to fight in Vietnam. Many of them never came back. We will never forget the lives they led and the sacrifices they made. And we will never rest in our effort to bring each and every American who gave their life home to a Nation that honors their service, and a community that has never forgotten them.

SECRETARY WAYNE CLOUGH

Mr. LEAHY. Mr. President, on July 1, G. Wayne Clough became the new Secretary of the Smithsonian Institution. Last week, the New York Times wrote a profile on Dr. Clough that highlights his markedly different leadership and style. This style is a welcome one to me.

As a member of the Smithsonian Board of Regents, I look forward to working with Secretary Clough on the many challenges that face the Smithsonian. So all Senators and their staff can see that he is off to a solid beginning, I ask unanimous consent that the article in the New York Times be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 15, 2008]

SMITHSONIAN CHIEF HOPES TO INSTITUTE BIG REFORMS

(By Robin Pogrebin)

It is hard to picture G. Wayne Clough dropping \$14,000 of the Smithsonian Institution's

money to charter a Learjet, or \$724 to put his family up at the Four Seasons for a night. Part of his mandate, after all, is to guard against the abuses that brought the ouster of his high-spending predecessor, Lawrence M. Small.

But Dr. Clough, the new secretary of the Smithsonian—its chief executive—is expected to do far more than set a good example. He is charged with nothing less than transforming a 162-year-old bear of an institution—with 19 museums and galleries, a zoo, 9 research centers, and an operating budget of \$1 billion—into an ethical, tightly run organization. “I go to work every day a little bit nervous,” he said in an interview last week in New York.

The Smithsonian has been through the wringer over the last two years, with disclosures of improper spending and sharp criticism from Congressional committees about sloppy governance.

So after taking over on July 1, Dr. Clough, 66, a widely respected former president of the Georgia Institute of Technology, spent much of his first two months calling on members of Congress. Winning back the good will of lawmakers will be crucial, since the federal government provides 70 percent of the Smithsonian's operating budget.

Dr. Clough (pronounced cluff) said he had assured legislators that reforms were already under way to guard against future misconduct.

The Smithsonian's museum directors must now have their travel approved by an undersecretary of the institution, Dr. Clough said. Every new executive must undergo a thorough background check, and ethics is a regular topic of discussion among the Smithsonian's management.

Dr. Clough's own travel must now be approved by the Smithsonian's chief financial officer. Dr. Clough has also resigned from his salaried positions on three corporate boards. From 2000 to 2006 his predecessor, Mr. Small, spent 64 business days serving on corporate boards that paid him a total of \$5.7 million.

Mr. Small's salary was \$916,000 in 2007, but the Smithsonian is paying Dr. Clough \$490,000. He pays his own rent on a town house near the fish market in southeast Washington; Mr. Small used a Smithsonian housing allowance for his town house in an affluent neighborhood in northwest Washington. Dr. Clough's home is about a quarter-mile from the Smithsonian museums, so he can walk to work; Mr. Small used a chauffeur.

While he is earning less than he did at Georgia Tech, where his salary package was worth \$551,186, Dr. Clough said he hadn't looked back. “This is something I wanted to do,” he said.

He said he was excited by the idea of collaborations between art and science at the Smithsonian, by the depth of expertise to be found at its various museums and research centers and by the Smithsonian's potential to be an education resource for the country.

And he seems to be having a good time. He cited some serendipitous encounters, like happening upon a photographer at the National Museum of Natural History who had completed a folio of rare plants with the help of Smithsonian biologists. He observed researchers examining endangered languages at the National Anthropological Archives of the Smithsonian in Suitland, Md. And he watched the wing of a German World War II plane being readied at the Paul E. Garber facility, also in Suitland, for the Smithsonian's Steven F. Udvar-Hazy Center near Dulles International Airport, an extension of the National Air and Space Museum.

“I'm thrilled by these little pleasures,” he said.

On his visit to New York, Dr. Clough spent four hours on Thursday at the Cooper-Hewitt

National Design Museum, another Smithsonian museum, meeting the director, Paul Thompson, and curators; viewing its collections; and talking with the textile artist Sheila Hicks, who happened to be there. “During all of these discussions, his interest in and knowledge of design was very apparent,” Mr. Thompson said.

It is clear that Dr. Clough will set a different tone. Mr. Small came from the corporate corridors of Fannie Mae, but Dr. Clough has spent his career on college campuses in the unglamorous field of engineering.

Born in Douglas, Ga., Dr. Clough exudes a low-key Southern charm. He is plain-spoken, unvarnished and sometimes a little corny.

Asked about the tension at the Smithsonian between art and science, he said: “I love the arts. I love beauty. Every day I try to notice something beautiful. It could be a flower, it could be a painting, it could be a sculpture, it could be a piece of music.”

As for setting the Smithsonian back on course, some changes in governance were adopted before he arrived by the board of regents, the organization's governing body, and by Cristián Samper, who was appointed acting secretary after Mr. Small resigned in March 2007. (Mr. Samper has returned to his post as director of the natural history museum.)

The board now meets four times a year, not three. The Smithsonian's inspector general, who conducts audits and prevents waste, now reports directly to the board chairman, not the secretary.

Dr. Clough said he planned to decentralize the institution, to reduce the number of undersecretaries from four to three and to give them more decision-making authority. “I don't want to have everything come to me if it doesn't need to,” he said. “We have got to be an agile institution.”

“My feeling on organizations is they should be as little top-heavy as possible,” he added. “Let's take the money we might be spending on the superstructure and give it to the museums.”

He said he also hoped to improve coordination. The Smithsonian has about a dozen educational centers, for example, he said, “but no pan-institutional concept” for education.

While he said he believed the federal government should maintain its financial support, Dr. Clough said he embraced Congress's message that the Smithsonian should raise more of its own money to cover expenses. “We need to get more self-reliant,” he said.

That means a major capital campaign of \$1 billion over five to seven years, a first for the institution, which will start next year.

Dr. Clough said he would devote considerable effort to cultivating donors. “If we're going to get facilities gifts, we need to have opportunities for people that they can emotionally attach to,” he said, like particular exhibitions. “You've got to work with donor intent.”

At the same time, he said, he recognized the perils of giving contributors too much of a say in how their money is spent, a challenge with which the Smithsonian is already familiar. Last year some regents questioned the appropriateness of a \$5 million gift from the American Petroleum Institute for the Ocean Initiative exhibition hall of the natural history museum. The gift was rescinded.

“A donor might want programming input there is always going to be that element of nuance there,” Dr. Clough said. “You have to understand the dangers and the possibilities.”

He said he also hoped to compete for federal money beyond the direct annual appropriation. If the Smithsonian set out to develop a school science and technology curriculum, for example, Dr. Clough said, “we

might go to the Department of Education and get that funded, as opposed to sitting back and hoping that money comes to us."

Other ideas include appealing to foundations and seeking revenue-generating activity on the Web, making the Smithsonian's extensive photography collection available for commercial purposes, for instance. "We're not looking to make a profit," he said. "We're just looking to recover our costs."

During his nearly 14 years as president of Georgia Tech, Dr. Clough oversaw two capital campaigns that raised nearly \$1.5 billion in private gifts. Annual research expenditures increased to \$425 million from \$212 million and enrollment to more than 18,000 from 13,000. Georgia Tech has consistently ranked among the nation's Top 10 public research universities.

At the Smithsonian, Dr. Clough said he planned to spend the next year developing a strategic plan "to help us get a fix on where we are" and to set fund-raising priorities. He said he wanted to consult people across the institution, with the added dividend that it "will help restore some of the morale."

The Smithsonian needs to be lean, but it must maintain the basic levels of staffing that, for instance, allow the zoo to keep feeding the animals, Dr. Clough said. The institution's employment levels have shrunk in recent years, declining by nearly 600 employees since fiscal year 1993 to the current level of 5,960.

"We have to stabilize it," Dr. Clough said. "We can't be the institution we hope to be if we sit around and let that happen."

At the same time he understands Congress's concerns and says he is ready to be grilled when the time arrives, perhaps next spring, when appropriations hearings are usually held.

"It's O.K. for us to be asked our relevance and what we're doing for the country," he said. "I think we can make that case."

This article has been revised to reflect the following correction: An article on Monday about plans for the Smithsonian Institution outlined by G. Wayne Clough, its new chief executive, misstated the goal of the institution's capital campaign. It is to raise more than \$1 billion over five to seven years, not \$5 million to \$7 million.

KIDS ACT

Mr. SCHUMER. Mr. President, I rise today to address a pressing issue that deserves our immediate attention: the improved protection of children on the Internet. That is why, at the beginning of this Congress, I authored and introduced S. 431, the Keeping the Internet Devoid of Sexual Predators, or KIDS, Act.

The increasing popularity of social networking Web sites and their ready availability to children has made these sites potential hotbeds for sexual predators, who can easily camouflage themselves amidst the throng of users on these sites, while furtively pursuing their own despicable designs. In the 21st century, just as we protect children in our physical neighborhoods, we must protect them in our online communities as well. The KIDS Act, S. 431, is a bipartisan bill that does just that.

The KIDS Act requires convicted sex offenders to register their e-mail addresses, instant message names, and all other Internet identifiers with the National Sex Offender Registry. The De-

partment of Justice, DOJ, would then make this information, on a qualified basis, available to social networking sites to compare the catalogued identifiers with those of their users. And it will do so in a way that carefully preserves the privacy of the users of any such Web site.

The Sex Offender Registration and Notification Act, SORNA, passed as part of the Adam Walsh Act, granted the Attorney General the authority to require the registration of certain identifying information, 42 U.S.C. 16914(a). While DOJ recently exercised its authority to collect "other information required" to issue final rules concerning the collection and release of Internet identifiers, this legislation permanently mandates that certain Internet identifier information be required in the registration process.

The amended bill continues to exempt Internet identifiers from public disclosure by States or DOJ.

The amended legislation requires the Attorney General to ensure that there are procedures in place to notify sex offenders of changes in requirements.

The legislation clarifies the definition of "social networking site" to assure that access to Internet identifiers is targeted to the bill's purpose of protecting children from solicitation by sex offenders on social networking sites. Sites may obtain information from DOJ only if they are focused on social interaction and their users include a significant number of minors. A "significant number" of minors, of course, clearly does not mean that the majority of users, or even a substantial minority, must be minors to qualify a Web site to participate, nor does it mean any particular quantity. The intent here is simply to permit the participation of any Web site that draws many minors; otherwise the law's purpose and effectiveness would be undermined.

As amended, the bill further allows social networking sites to employ contractors to assist with the checking process, but intends that these contractors will be subject to the same requirements that protect privacy interests.

The legislation still sets out a system for checking Internet identifiers and includes more robust privacy protections. Web sites may obtain a list of offenders' Internet identifiers from DOJ but only in a protected and secure form. Only after making a match can the Web site view the Internet identifier in unprotected form and request specific additional items of personal information about the registered sex offender. Web sites will require this additional information in order to ensure that people who are not registered offenders are not wrongly blocked from using their Web sites.

Moreover, as a qualification for the use of the checking system, social networking Web sites must provide the Attorney General a description of policies and procedures for protecting all

shared information and policies for allowing users the ability to challenge their denial of access. This mechanism seeks to ensure a process to identify and remove false positives from sex offender registries. If a Web site discovers incorrect information, the Web site is required to inform DOJ and the State registry so that they can correct the information.

There is now a new section modifying minimum standards required for electronic monitoring units used in the sexual offender monitoring pilot program established under the Adam Walsh Act. DOJ agrees that this change is needed. This will open up program participation to many more States and companies.

The legislation no longer includes the stand-alone criminal offense for knowing failure to register an Internet identifier. That provision was deemed unnecessary because existing law clearly criminalizes the failure to register information that the Attorney General requires convicted sex offenders to register under SORNA. The KIDS Act, relying on section 114(a)(7) of SORNA, specifically mandates that this required information include Internet identifiers. Thus, under the existing SORNA framework, as enhanced by the KIDS Act, failure to register Internet identifiers as required will be treated as any other registration violation punishable under 18 USC §2250(a)(3).

This bill represents a vital step toward giving both law enforcement and businesses the tools they need to protect children from online sexual predators and toward making the Internet a safer place for children to communicate with their peers.

The use of the Internet as a communications tool will continue to expand, and it is important that we put safeguards in place, so that our children can continue to benefit from advances in communications technology without putting them in harm's way.

I thank the National Center for Missing and Exploited Children, NCMEC, MySpace, Facebook, Enough is Enough, RAINN, the American Family Association, the National Association of School Resource Officers, and the American Association of Christian Schools for endorsing the KIDS Act. I thank my colleagues for their support of this important bill and urge the President to sign it quickly into law.

TORTURE

Mr. FEINGOLD. Mr. President, since 2001, top officials in the Bush administration have secretly authorized the use of abusive interrogation techniques that in some cases have risen to the level of torture. In doing so, they have shown flagrant disregard for statutes, for treaties ratified by the United States, and for our own Constitution. They have misled the American people, undermined our values, and damaged our efforts to defeat al-Qaida.

There are some who downplay the abusive treatment of detainees that